

PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

Rail Safety and Carriers Division

RESOLUTION TL-18970

August 2, 2001

RESOLUTION

**RESOLUTION GRANTING VOLUNTARY REVOCATION OF
PORTIONS OF THE VESSEL COMMON CARRIER CERTIFICATE HELD
BY BLUE & GOLD FLEET, L.P. (VCC-77)**

Blue & Gold Fleet, L.P. (B&G), a limited partnership, holds a certificate of public convenience and necessity (VCC-77) to conduct various scheduled and nonscheduled vessel common carrier services on San Francisco Bay and its tributaries. These include commuter ferry services (e.g., San Francisco–Alameda) and services of a recreational nature (e.g., San Francisco–Angel Island State Park). B&G obtained VCC-77 in 1977 through a transfer of certificates from Blue and Gold Fleet, a corporation, and Red & White Fleet, Inc., as authorized by Decision 97-06-066.¹

By letter dated June 6, 2001, B&G, through Attorney Edward J. Hegarty, requested revocation of two of its authorized scheduled services. These are identified in the certificate as “S5” and “S7.” S5 authorizes seasonal San Francisco–Stockton service from April 15 through October 31 of each year. S7 authorizes weekend San Francisco–Sacramento–Stockton service.

B&G advised that it has never operated these two services, nor did its predecessor Red & White Fleet for several years prior to the 1997 certificate transfer. B&G gave the following reasons for not operating the services and for requesting that they be revoked from VCC-77:

- There is a proliferation of jet skis, wave runners, water ski boats, and other small watercraft on the Sacramento and San Joaquin Rivers.

¹ Certificate VCC-77 was subsequently amended by Decision 00-06-060 to add Sausalito–Tiburon service.

- Operation of B&G's larger boats amid these small watercraft in the narrow navigable channels of these river routes raises safety and liability concerns.
- The tour operator who formerly promoted these Sacramento and San Joaquin River excursions, primarily to senior citizens, is now deceased and there appears to be no present passenger demand for these services.
- The low speed at which B&G's boats would be required to operate on the river routes involved make the round-trip too long in hours to be attractive to passengers.

Notice of B&G's request appeared on the Commission's Daily Calendar of June 13, 2001. No comments or protests were received. The Commission's Rail Safety and Carriers Division has no objection to the request.

The Commission has considered B&G's request and finds that it is reasonable.

This is an uncontested matter in which the resolution grants the relief requested. Accordingly, pursuant to Public Utilities Code Section 311(g)(2), the otherwise applicable 30-day period for public review and comment is being waived.

THEREFORE, IT IS ORDERED that:

1. The vessel common carrier certificate granted to Blue & Gold Fleet, L.P. (B&G) set forth in Appendix VCC-77 of Decision 97-06-066, as amended by Decision 00-06-060, is further amended by replacing Original Page 2 with attached First Revised Page 2.
2. B&G shall make amendments to its tariff necessary to reflect the revocation of services S5 and S7 from its certificate.

3. The Executive Director shall mail a copy of this resolution to:

Blue & Gold Fleet, L.P.
c/o Edward J. Hegarty, Attorney at Law
P.O. Box 360
Georgetown, CA 95634

This resolution is effective today.

I certify that the foregoing resolution was duly introduced, passed, and adopted by the Commission at its regularly scheduled meeting on August 2, 2001. The following Commissioners voted favorably thereon:

/s/ WESLEY M. FRANKLIN
WESLEY M. FRANKLIN
Executive Director

LORETTA M. LYNCH
President
RICHARD A. BILAS
CARL W. WOOD
GEOFFREY F. BROWN
Commissioners

Commissioner Henry M. Duque, being necessarily absent, did not participate.

Appendix VCC-77

Blue & Gold Fleet, L.P.
(a limited partnership)*First Revised Page 2
Cancels Original Page 2

SECTION II. SERVICE POINTS (continued).

A **Scheduled Service**

Between the points as described below, unless otherwise specified:

S1. **San Francisco - Angel Island State Park (1)**S2. **San Francisco - Sausalito (1)**

(1) Carrier shall provide a minimum of one (1) trip per day in each direction from June 1 through September 10 of each year.

S3. **San Francisco - Tiburon (2)**S4. **San Francisco - Alcatraz Island (2)**

(2) Carrier shall provide a minimum of two (2) trips per day in each direction from June 1 through September 10 of each year.

S5. * Deleted.

S6. **San Francisco - Angel Island - Vallejo**

Carrier shall provide a minimum of one (1) trip per weekday (Monday through Friday, inclusive) in each direction.

S7. * Deleted.

S8. **San Francisco - Alameda (3)**

(3) Between San Francisco Ferry Building and Pier 39 in San Francisco, on the one hand, and Port of Oakland and Alameda Gateway area, on the other hand.

S9. **Alameda - Angel Island (4)**

(4) Between Jack London Square, Oakland and Alameda Gateway, Alameda, on the one hand, and Angel Island State Park, on the other hand.

Issued by California Public Utilities Commission.

*Revised by Resolution TL-18970 dated August 2, 2001.